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VIA ECF

MEMO ENDORSED

The Honorable Valerie E. Caproni
United States District Judge
United States District Court for the Southern District of New York
40 Foley Square
New York, New York 10007

Re: Abromavage v. Deutsche Bank Securities Inc., et al (1:18-cv-06621)

Dear Judge Caproni:

We represent the Defendants, Deutsche Bank Securities Inc., Jeffrey Bunzel and Mark Hantho in the above-referenced action. We have consulted with Plaintiff's counsel, and the parties write jointly to request an adjournment of the fact discovery deadline to accommodate a witness who recently broke her foot.

The Court's Civil Case Management Plan and Scheduling Order provided for completion of fact discovery by September 27, 2019 and completion of expert discovery by October 31, 2019. [Dkt. No. 18]. On September 4, 2019 the Court granted the parties' first request for an extension of time to complete fact discovery from September 27, 2019 to November 22, 2019. [Dkt. No. 29].

On October 23, 2019, Plaintiff's counsel submitted a letter containing the parties' joint request for a second extension of the fact discovery deadline from November 22, 2019 to December 15, 2019 in light of the parties' pending discovery dispute. [Dkt. No. 32]. On November 7, 2019, the Court granted the request, extending the fact discovery deadline to December 13, 2019, extending the deadline for expert discovery to January 27, 2020, adjourning the November 22, 2019 status conference to December 13, 2019 at 10:00 a.m., and requiring the parties to submit a joint status letter by December 5, 2019. [Dkt. No. 35].

On December 2, 2019, the parties jointly requested an extension of the fact discovery deadline one additional week, from December 13, 2019 to December 20, 2019, to accommodate witnesses' and counsels' schedules and allow the Court time to rule on a pending discovery dispute, and further requested a commensurate adjournment of the expert discovery deadline from January 27, 2020 to February 3, 2020; adjournment of the December 13, 2019 status conference to a date convenient for the Court after December 20, 2019 and adjournment of the filing of the joint status letter from December 5, 2019 to a date that the Court deemed appropriate. [Dkt. No. 36]. On December 2, 2019, the Court granted the request, adjourning the fact discovery deadline to December 31, 2019, adjourning the expert discovery deadline to



February 3, 2020, adjourning the status conference to January 10, 2020 at 10:00 a.m. and adjourning the filing of the joint status letter to January 2, 2020. [Dkt. No. 37].

At the time the parties jointly requested the last adjournment, Plaintiff had not yet deposed two witnesses: Defendant Mark Hantho and witness Michele Kershenbaum. Although Ms. Kershenbaum's deposition was scheduled for December 20, 2019, she recently broke her foot and cannot travel to her deposition. In light of Ms. Kershenbaum's upcoming doctors' appointments, the holidays, travel schedules and counsels' other obligations, the parties jointly request an extension of fact discovery until February 7, 2020 to allow sufficient time to schedule and take the final depositions.

The parties further jointly request commensurate brief adjournments of the other pending deadlines, and request that the Court adjourn the expert discovery deadline from February 3, 2020 to March 6, 2020; adjourn the January 10, 2020 status conference to a date convenient for the Court after February 7, 2020¹ and adjourn the filing of the joint status letter from January 2, 2020 to a date that the Court deems appropriate.

Very truly yours,

SEYFARTH SHAW LLP

/s/ Cameron Smith

Cameron Smith

CS

cc: All counsel of record

The fact discovery deadline is adjourned from December 31, 2019, to **January 31, 2020**. No further extensions.

The next status conference is adjourned from January 10, 2020, to **February 7, 2020, at 10:00 A.M.** A joint pre-conference letter shall be due on or before **January 30, 2020**.

The expert discovery deadline is adjourned from February 3, 2020, to **February 28, 2020**.

SO ORDERED.

Date: 12/18/2019

A handwritten signature in blue ink, appearing to read 'Valerie Caproni'.

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

¹ Counsel for Defendants will not be available the week of February 10th or March 6 through 13.